



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/676,621	09/30/2003	Manoj Modi	111855.00004	7934

26707 7590 12/07/2006

QUARLES & BRADY LLP
RENAISSANCE ONE
TWO NORTH CENTRAL AVENUE
PHOENIX, AZ 85004-2391

EXAMINER

CHEN, TE Y

ART UNIT PAPER NUMBER

2161

DATE MAILED: 12/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/676,621

Applicant(s)

MODI, MANOJ

Examiner

Susan Y. Chen

Art Unit

2161

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 September 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Response to Amendment

This office action is in response to the amendment filed on September 28, 2006.

Claims 1-29 are pending for examination. Claims 1, 3, 9-10, 13, 19 and 25, have been amended, claims 27-29 have been newly added.

Specification

The amended specification to correct the reference of co-pending application has been acknowledged and placed on record.

Terminal Disclaimer

The terminal disclaimer filed on September 28, 2006 disclaiming the terminal portion of any patent granted on this application which would extend beyond the expiration date of the co-pending application no. 10/677,037 has been reviewed and is accepted. The terminal disclaimer has been recorded.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Art Unit: 2161

Claims 1-18 and 27, are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

As to claims 1 and 9, what is it meant by "substantially similar types" (i.e., applicant's fails to define the metes and bounds of the claimed "substantially similar types", as such it renders the claims to be indefinite.)

As to claims 2-8, 10-18 and 27, these claims have the same defects as their base claims 1 and 9 respectively, hence are rejected for the same reason.

Because the ambiguous nature of instant invention, the following art rejection is as the best that the examiner is able to ascertain.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 9-12, 19-20 and 25-29, are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 6,327,574 issued to Kramer et al. (hereinafter referred as Kramer).

As to claims 1, 9, 19, 25 and 27-29, Kramer discloses a computer system for managing real property which has means and methods as claimed by applicant, comprising:

providing a website [e.g., the third party servers 602, Fig. 6 and associated texts];
storing real property information from a portfolio of real properties on a central database [e.g., the Generic TIC databases at col. 10, lines 25-45, col. 12, lines 15 – col. 13, line 53], the real property information being organized in to a plurality of records, including a general purpose record [e.g., the metadata at col. 12, lines 34-43], infrastructure record [e.g., the model(s) data at col. 12, lines 27-33], business record [e.g., the record of facts databases at col. 12, lines 17-26], accounting record [e.g., the records of statistic, accounting database, col. 13, lines 50], and maintenance record [e.g., the record of Calendar at col. 12, lines 45-53], to add in retrieval of the real property information based on specific requests therefor [e.g., col. 5, lines 62 – col. 6, line 7];

providing a set of real properties from the portfolio of real properties to be offered as collateral in a loan package, each real property within the set containing similar types of real property information [e.g., the use of browsing technique to view the personal finance software, loan applications, etc. collected by TIC database and customized into

Art Unit: 2161

profiles to a lender's computer at col. 5, lines 28 – 61; Fig. 3A-B, the profiling technique at col. 10, lines 25-45];

providing access to the real property information related to the set of real properties to a consumer-specific application through the website, wherein the consumer-specific application makes selection to view the real property information which is retrieved from the central database [e.g., the use of Web browsing URL in the Illumination and Interpretation section starting at col. 5 at seq.; col. 16, lines 24-58] ; and

displaying the real property information as selected by the lender on the website [e.g., the use of a browser to display the customized World Wide Web pages as selected by the lender on the website via URL technique at col. 8, lines 15 – 40; the Illuminations server at col. 18, lines 38 – 42].

As to claims 2, 10-12, 20 and 26, Kramer further discloses the following:

providing access to a second set of real properties from the portfolio of real properties, wherein the second user makes selections through website to view the real property information which is retrieved from the control database [e.g., the use of special tags to locate the second set of real properties via website annotation using the URL technique at col. 8, lines 24-40];

accessing the real property information included in the second set from the central database through a communication network [e.g., the use of browser to access the set of Customized WWW pages over Internet, Fig. 6 and associated texts]; and

Art Unit: 2161

displaying the real property information for a user operating a computer system remote from the central database [e.g., col. 15, lines 63 – col. 16, lines 22; Fig. 6 and associated texts].

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 3 and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,574 issued to Kramer et al. (hereinafter referred as Kramer) and in view of U.S. Patent No. 4,722,055 issued to Roberts.

As to claims 3 and 13, Kramer further discloses the following:

determining a valuation of each of the portfolio of real properties [e.g., the TIC interpretation model processing, col. 5, lines 30- col. 6, line 7; Fig. 7 and associated texts].

Kramer did not specifically disclose the selecting at least one from the portfolio of real properties to form the set of real properties such that a total valuation of the set of real properties is sufficient for the loan package.

However, Roberts discloses a system has methods to select at least one from the portfolios of real properties to form the set of real properties such that a total valuation of the set of real properties is sufficient for the loan package [e.g., col. 7, lines 6-22; Fig.(s) 1-3 and associated texts].

Kramer and Roberts are both in the same field of endeavor to compile real property information via dynamic managed a loan portfolio, hence, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify Kramer's method with the teachings disclosed by Roberts for the purpose to select at least one from the portfolios of real properties to form the set of real properties such that the combined method would facilitate a total valuation of the set of real properties that is sufficient for the loan package managed by a program manager (or a lender), because by doing so, the combined methods would have been a prima facie obvious in view of Roberts as discussed above.

Claim Rejections - 35 USC § 103 (continue)

Claims 4-8, 14-18 and 21-24, are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,327,574 issued to Kramer et al. (hereinafter referred as Kramer) and in view of U.S. Publication 2004/0133493 issued to Ford et al. (hereinafter referred as Ford).

As to claims 4, 14 and 21, Kramer did not specifically disclose the method for providing a log-in code to the lender, wherein the log-in code limits the lender to view the real property information related to the set of real properties.

However, Ford discloses a method to provide a log-in code to the lender, wherein the log-in code limits the lender to view the real property information related to the set of real properties [e.g., page 4, section 0034].

Kramer and Ford are both in the same field of endeavor to compile real property information via dynamic managed a loan portfolio, hence, it would have been obvious to one of ordinary skill in the art, at the time the invention was made, to modify Kramer's method with the teachings disclosed by Ford for provide a log-in code to the lender, such that the log-in code would limit the lender to view the authenticated real property information related to the set of real properties, because by doing so, the combined methods would have been a prima facie obvious in view of Ford as discussed above.

As to claims 5, 15 and 22, the combined methods of Kramer and Ford further discloses the following:

providing search selections for the lender to search based on attributes of the set of real properties [e.g., Kramer: col. 15, lines 22-62].

As to claims 6, 16 and 23, the combined methods of Kramer and Ford further discloses the following:

providing a summary of search results for a plurality of real properties when search selections match more than one real property [e.g., Kramer: col. 19, lines 52-57].

As to claims 7, 17 and 24, the combined methods of Kramer and Ford further discloses the following:

displaying only a first portion of the real property information related to the set of real properties which is approved for lender viewing [e.g., Ford: page 4, section 0034].

As to claims 8 and 18, Kramer further discloses the following:

adding a second portion of real property information to that approved for lender viewing upon receiving a request from the lender for the second portion of real property information [e.g., Ford: page 4, section 0034].

Response to Arguments

Applicant's arguments filed on September 28, 2006 have been fully considered but they are not persuasive.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., real property is defined as land and structures that has no relation to the consumer modeling system) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Art Unit: 2161

As to the rest of arguments, applicant either based on the newly amended limitations which are moot by the new mapping of rejections as discussed above, or merely rehashes issues already addressed on record, as such, the 35 U.S.C. rejections are maintained.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Points of Contact

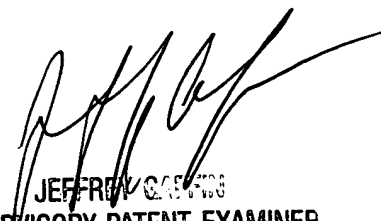
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Susan Y. Chen whose telephone number is 571-272-4016. The examiner can normally be reached on Monday - Friday from 7:00-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeff Gaffin can be reached on 571-272-4146. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Susan Y Chen
Examiner
Art Unit 2161

December 1, 2006


JEFFREY GAFFIN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100